

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

MATTHEW SHIMANEK,
Successor-In-Interest to DENA ASPEN,

Plaintiff,

v.

KILOLO KIJAKAZI, Acting
Commissioner of Social Security,

Defendant.


Case No. CIV-20-417-J

ORDER

The Social Security Administration (SSA) denied Plaintiff's deceased mother's application for disability insurance benefits, and Plaintiff, pursuant to 42 U.S.C. § 405(g), is seeking judicial review of the decision. Defendant filed the administrative record, and both parties briefed their positions. The matter was referred to United States Magistrate Judge Amanda Maxfield Green consistent with 28 U.S.C. § 626(b)(1)(B). [Doc. No. 27]. Thereafter, Judge Green issued a Report and Recommendation recommending that the SSA's decision be affirmed. [Doc. No. 29]. The parties were advised of their right to object to the Report and Recommendation by March 24, 2022. No objection has been filed. Plaintiff has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 29] and AFFIRMS the SSA's decision.

IT IS SO ORDERED this 25th day of March, 2022.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE